

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DIVISION OF MISSISSIPPI  
WESTERN DIVISION**

**SHERMANN D. HENDERSON**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 5.11CV14DCB-RHW**

**BALFOUR BEATTY RAIL, INC.**

**DEFENDANT**

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**ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME**

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This cause is before the Court on Plaintiff's Unopposed Motion for Extension of Time and the Court having been advised in the premises hereby GRANTS Plaintiff's unopposed Motion for Extension of Time and extends Plaintiff's deadline file his Response to Defendant's Motion for Summary Judgment until **October 7, 2011**.

Ordered, this 11<sup>th</sup> day of <sup>October</sup> \_\_\_\_\_, 2011.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE

Prepared by:  
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COMES NOW, Plaintiff, Shermann Henderson, by and through counsel, and moves this Court for an Order granting him an extension of time until October 7, 2011 to file his Response to the Defendant's Response to Motion for Summary Judgement :

1. Plaintiff's response to Defendant's Motion for Summary Judgment is due October 3, 2011.
2. Plaintiff's counsel have been in trial and have been unable to adequately prepare and complete Plaintiff's response by the deadline date of October 3, 2011.
3. Plaintiff's counsel respectfully request a brief extension of time within which to file Plaintiff's response to the Motion for Summary Judgment.
4. Plaintiff's counsel have communicated with Defendant's counsel, who has advised that they have no objection to the requested extension of time within which to file the Plaintiff's response to the Motion for Summary Judgment.
5. This motion is not being filed for the purpose of delay in this cause.

WHEREFORE, Plaintiff Shermann Henderson moves for an Order granting him an extension of time until October 7, 2011 to file his Response to the Defendant's Motion for Summary Judgment.

Respectfully submitted, this the 30<sup>th</sup> day of September, 2011.

SHERMANN D. HENDERSON

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### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Plaintiff's Initial Disclosures was served this the 30<sup>th</sup> day of September, 2011 via email to the following:

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s/Jami L. Crews